UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
SIEDLER, DOROTHY S

ART UNIT	PAPER NUMBER
2626	

NOTIFICATION DATE	DELIVERY MODE
10/26/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ADIPFDD@bipc.com
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-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>06 August 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☐ Claim(s) _____ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-9</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>06 November 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>5-27-07</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

This office action is in response to the amendment filled August 6, 2007. Claims 1-9 are

pending, with claims 1-4 and 7 amended.

Response to Arguments

Applicant's arguments filed August 6, 2007 have been fully considered but they

are not persuasive.

Applicant argues that, "neither Nagai nor Kishinsky teaches or suggests 'a main

control module for controlling an action of the CTI control module in accordance with a

predetermined interpretation scenario that defines basic telephone actions to be

executed at a next state in response to events generated at a current state" (Remarks

page 9 and 12), as well as that, "Nowhere does Nagai teach that the system execution

management program 317 manages execution of the program group in accordance with

a predetermined interpretation scenario" (Remarks page 10). However the examiner

respectfully disagrees. *Nagai* discloses that the system execution management

program, having detected a call (predetermined interpretation scenario and the current

state), starts the contact manager program, which uses the IVR program to induce the

logging in program or service change program (next state) (column 18 lines 15-32).

Applicant also argues that, "Nagai des not define an event, which is generated in

response to a button signal input through the CTI board to control the CTI board as a

job unit comprising CTI control functions for performing a basic telephone action, as

recited in claim 1" (Remarks page 11), as well as that, "neither Nagai nor Kishinsky

teaches or suggests 'an interpretation transmission step of controlling the CTI board in accordance with the interpretation scenario and transmitting the translated voice to the other party in accordance with the interpretation scenario, wherein the predetermined interpretation scenario defines basic telephone actions to be executed at a next state in response to events generated at a current state'" (Remarks page 12). However the examiner respectfully disagrees. *Nagai* discloses that user input through the keypad is used to designate a menu selection (basic telephone action). The contact manager program then uses the IVR program to provide a guided message to the user (column 18 lines 36-50). *Nagai* also discloses that the system recognizes an incoming voice with the ASR processing board then uses a program stored in memory to perform language translation (interpretation scenario); the translation is determined based on the requested media type at the receiver which was previously registered and stored in memory (column 8 lines 62-67 and column 9 lines 14-15).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 4-7 are rejected under 35 U.S.C. 102(e) as being anticipated by **Nagai** (6,636,587).

As per claim 1, **Nagai** discloses a third-party call control type simultaneous interpretation system, comprising:

a CTI (Computer-Telephony Integration) board for establishing a traffic channel between a talker and a listener (column 6 lines 52-57);

a CTI control module for generating an event in response to a button signal input through the CTI board to control the CTI board as a job unit comprising CTI control functions for performing a basic telephone action (column 18 lines 36-50, *user input from the keypad is accepted as the designation of a menu selection*);

an interpretation module for recognizing a voice of the talker/listener input through the CTI board and translating the voice into a predetermined language (column 8 lines 62-67 and column 9 lines 14-15, *the system recognizes an incoming voice with ASR processing board, then uses a program stored in memory to perform language translation*);

and a main control module for controlling an action of the CTI control module in accordance with a predetermined interpretation scenario that defines basic telephone actions to be executed at a next state in response to events generated at a current state (column 18 lines 25-312).

As per claim 4, *Nagai* discloses the system as claimed in claim 1, wherein the

interpretation module comprises a speech recognition section for recognizing the voice

input through the CTI board and converting the recognized voice into text (column 8

lines 62-67 and Figure 3 item 308);

a translation section for translating the text into the predetermined language

(column 9 lines 14-15);

and a speech synthesis section for synthesizing a speech from the text

recognized through the speech recognition section or the text translated through the

translation section and outputting the synthesized speech (column 8 lines 59-61).

As per claim 5, *Nagai* discloses the system as claimed in claim 1, wherein the

interpretation scenario includes a current state conversion action selected according to

a current state and the event generated in the CTI control module, and basic telephone

actions (column 20 lines 59-65, *the system determines the necessary media*

conversion, during a telephone call for example, based on the current media type and

the requested media type at the receiver).

As per claim 6, *Nagai* discloses the system as claimed in claim 5, wherein the

main control module includes an interpretation scenario management section for

selecting the current state conversion action and the basic telephone action on the

basis of the predetermined interpretation scenario when the event is generated in the

CTI control module, and a state conversion section for converting the current state into

the next state in response to the current state conversion action selected from the

interpretation scenario management section (column 20 lines 59-65 and column 18

lines 15-55, *the system determines the necessary media conversion, during a telephone*

call for example, based on the current media type and the requested media type at the

receiver, the requested media type at the receiver registered previously and saved in

memory).

As per claim 7, **Nagai** discloses a third-party call control type simultaneous

interpretation method, comprising the steps of:

a telephone connection step of establishing a traffic channel between a talker

and a listener when the talker connects with a simultaneous interpretation system

(column 6 lines 52-57);

an automatic interpretation step of, when an event is generated in a CTI control

module in response to a button signal input by the talker or listener through a CTI board

to control the CTI board as a job unit comprising CTI control functions for performing a

basic telephone function, translating an input voice of the talker or listener into a

predetermined language in response to the generated event based on a predetermined

interpretation scenario, and an interpretation transmission step of controlling the CTI

board in accordance with the interpretation scenario and transmitting the translated

voice to the other party in accordance with the interpretation scenario, wherein the

predetermined interpretation scenario defines basic telephone actions to be executed at

a next state in response to events generated at a current state (column 18 lines 36-50,

user input from the keypad is accepted as the designation of a menu selection, and

column 8 lines 62-67 and column 9 lines 14-15, *the system recognizes an incoming*

voice with ASR processing board then uses a program stored in memory to perform

language translation, the translation determined based on the requested media type at

the receiver which was previously registered and stored in memory).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 2,3,8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable

over **Nagai** in view of **Kishinsky** (6,286,033).

As per claim 2, **Nagai** discloses the system as claimed in claim 1, wherein the

CTI control module comprises an event handler for generating the event in response to

the button signal input through the CTI board (column 18 line 63 – column 19 line 65

and column 17 lines 19-21, *the system routes a message from a source to a receiver using various contact means, including a telephone, through the PBX, or telephone switchboard. Since a user indicates the number to be called, i.e. the receiver, by pushing buttons on the telephone, it is inherent that a button is pushed*);

and a working section for calling the CTI control functions in a given order from the CTI API and performing the basic telephone action in accordance with the main control module (column 9 lines 32-33 and Figure 3 item 317, *the system execution management program control the operation of the operation of sub-programs in the CTI server*).

However *Nagai* does not explicitly disclose a CTI API (Application Programming Interface) including CTI control functions for the CTI board. *Kishinsky* discloses a system for computer-integrated telephony (CTI) that uses an application-programming interface (column 4 lines 38-39) as an interface between the software and the platform. *Kishinsky* discloses the distribution of CTI scripts between telecommunications centers, including telephone call processing and switching centers, and is therefore analogous art.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use an API as an interface between the application software and the application platform in *Nagai*, since API's are known as reliable interfaces with ready made software available, thus removing the need to spend resources and time developing a new one.

As per claim 3, **Nagai** in view of **Kishinsky** discloses the system as claimed in claim 2, and **Nagai** further discloses wherein the basic telephone action includes one or more of phone dialing (column 18 lines 14-15), phone answering, phone disconnection or hanging up, button pressing (column 18 lines 39-41), button reading, tone detection, voice forward, voice store, speaking and listening.

As per claim 8, **Nagai** discloses the method as claimed in claim 7, wherein the automatic interpretation step comprises: recognizing the voice and translating the recognized voice into the predetermined language through an interpretation module in accordance with the predetermined interpretation scenario (column 8 lines 62-67 and column 9 lines 14-15, *the system recognizes an incoming voice with ASR processing board then uses a program stored in memory to perform language translation, the translation determined based on the requested media type at the receiver which was previously registered and stored in memory*).

Nagai does not explicitly disclose recording the input voice of the talker or listener in response to the event based on the predetermined interpretation scenario when the event is generated in the CTI control module in response to the button signal input by the talker or listener through the CTI board. However, **Nagai** does disclose that a groupware control program collects information, such as sender address, telephone number etc., and saves it in the work memory (column 19 lines 19-25).

Therefore it would have been obvious to one of ordinary skill in the art at the time

of the invention to record the user or talkers voice in response to an event in *Nagai*,

sine it would enable the system to store vocal input for future processing, preventing the

loss of vocal input information when the system cannot process the input in real time.

As per claim 9, *Nagai* in view of *Kishinsky* discloses the method as claimed in

claim 9, and *Nagai* further discloses wherein the translating step comprises: recognizing

the recorded voice and converting the recognized voice into text (column 8 lines 62-67);

translating the text into the predetermined language (column 9 lines 14-15); and

synthesizing a speech from the translated text (column 8 lines 59-61).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time
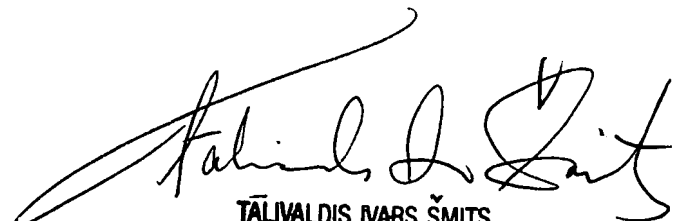
policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dorothy Sarah Siedler whose telephone number is 571-270-1067. The examiner can normally be reached on Mon-Thur 9:30am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571-272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DSS

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PRIMARY EXAMINER